

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON  
RICHLAND DIVISION

SALVADOR PAZ-CORTES,

Plaintiff,

v.

EDISON A. VALERIO,

Defendant.

NO. 4:20-cv-05072-TOR

**JOINT STATUS REPORT AND  
DISCOVERY PLAN**

Plaintiff, by and through his counsel of record, and Defendant, by and through its counsel of record, present this Joint Status Report and Discovery Plan.

**1. Statement of Nature & Complexity of Case.**

This case arises out of a July 7, 2018 incident in Richland Washington. Plaintiff alleges Defendant assaulted him by striking him in the head resulting in a permanent brain injury. Defendant denies this allegation, alleges self-defense, and contends he was injured by Plaintiff through either the negligent or intentional acts of Plaintiff.

**2. Proposed Deadline for Joining Additional Parties.**

The parties do not anticipate joining additional parties.

1                   **3.       Consent to Magistrate.**

2           The parties do consent to assignment of this case to a full time United States  
3 Magistrate Judge.

4                   **4.       Fed. R. Civ. P. 26(f)(3) Discovery Plan.**

5           The Rule 26 conference was completed on October 22, 2020.

6                   **A.       Initial Disclosures.**

7           The parties plan to exchange initial disclosures on or before November 30, 2020.

8                   **B.       Subjects, Timing, and Potential Phasing of Discovery.**

9           The parties assert that discovery may be needed on liability, medical causation and  
10 damages, which should be obtained by methods including, but not limited to, interrogatories,  
11 requests for production, requests for admission, and depositions.  
12

13                   **C.       Electronically Stored Information.**

14           The parties assert that ESI may exist in the form of emails and text messages.  
15

16                   **D.       Privilege Issues.**

17           At the present time, the parties do not foresee any unusual issues regarding claims of  
18 privilege.  
19

20                   **E.       Proposed Limitations on Discovery.**

21           The parties propose discovery within the limitations set forth in the Federal Rules of  
22 Civil Procedure.  
23

24                   **F.       Discovery-Related Orders**

25           No discovery motions are anticipated at the present time.  
26

1                   **5. Local Civil Rule 26(f)(1) Topics:**

2  
3                   **Alternative Dispute Resolution.**

4                   The parties agree to submit to mediation under Local Civil Rule 16(c) or any other  
5 alternative dispute resolution procedure that the Court deems appropriate at the conclusion of  
6 discovery.

7  
8                   **6. Completion of Discovery.**

9                   Discovery will be completed by March 30, 2021.

10                   **7. No Bifurcation.**

11                   The parties do not believe bifurcation is necessary.

12  
13                   **8. Other Suggestions for Shortening or Simplifying Case.**

14                   Counsel will work toward shortening and simplifying the case but have no specific  
15 suggestions at this time.

16  
17                   **9. Trial Date.**

18                   Plaintiff believes that the case will be ready for trial by March 2021.

19  
20                   **10. Jury Trial.**

21                   The case will be tried by a jury.

22                   **11. Number of Trial Days.**

23                   The parties anticipate that trial will take approximately 3 court days.  
24  
25  
26

12. Service.

Defendant has been served.

The parties stipulate that all service of documents not filed with the Court, including but not limited to, discovery requests, discovery responses, deposition notices, disclosures, and correspondence, may be made by electronic service via electronic service (email). Electronic service made by 5:00 p.m. Pacific time on any business day shall be considered equivalent to personal service on that business day. Electronic service after 5:00 p.m. or on a Saturday, Sunday, or federal holiday shall be deemed service the next business day. Service by any other means shall be governed by the Federal Rules of Civil Procedure and the Local Civil Rules of the United States District Court, Western District of Washington.

DATED this 22nd day of October 2020.

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